

**FILED**  
IN CLERK'S OFFICE  
US DISTRICT COURT E.D.N.Y.

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK**

★ **MAR 12 2015** ★  
BROOKLYN OFFICE

UNITED STATES OF AMERICA,

v.

ESPAR INC.,

Defendant.

Criminal No. 1:15-cr-00028-JG

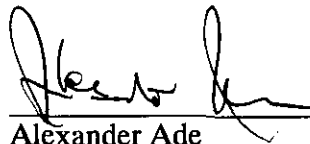
Filed: January 26, 2015

Violation: 15 U.S.C. § 1

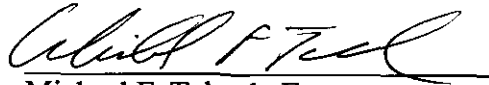
**WAIVER OF INDICTMENT**

I, Alexander Ade, the duly authorized representative of Espar Inc., the above-named Defendant, understand that Espar Inc. is charged with one count of Conspiracy to Restrain Trade in violation of Section 1 of the Sherman Antitrust Act (15 U.S.C. § 1). I have been advised of the nature of the charges against Espar Inc. and its rights, including the right to insist that the case proceed by way of indictment returned by the grand jury. Pursuant to Rule 7(b) of the Federal Rules of Criminal Procedure, I hereby waive in open court prosecution by Indictment and consent that, for the purposes of entering a plea, the proceeding may be by Information instead of by Indictment.

Dated: March 12, 2015



Alexander Ade  
Director, Legal & Insurance  
Eberspaecher Climate Control Systems GmbH  
& Co., KG  
On behalf of Espar Inc.



Michael F. Tubach, Esq.  
O'Melveny & Myers LLP  
Counsel for Espar Inc.

*Accepted - Sordani*

s/John Gleeson

*- 3/12/15*